

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

TING XUN ZHEN,

Petitioner,

VS.

IMMIGRATION AND CUSTOMS ENFORCEMENT,

Respondent.

Civil Action No. 4:04-cv-02313

MEMORANDUM OPINION AND ORDER

The petitioner, Ting Xun Zheng, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. He alleges that he is being illegally detained by the respondent pending his repatriation to China. (Doc. 1). The respondent has filed a motion to dismiss the case as being moot due to the fact that the petitioner has recently been granted release on supervision pending his repatriation to China and is no longer in the respondent's custody. (Doc. 13.) The petitioner has filed nothing in response to the motion.

Premised on the foregoing, the respondent's motion is hereby **GRANTED**. The petitioner's application for a writ of habeas corpus is due to be and hereby is **DISMISSED** as being **MOOT**.

Done this 20th day of April, 2005.

W. W. Benson

U.W. Clemon
Chief United States District Judge